

RESOLUTION 1649

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF PROPOSED AMENDMENTS TO THE NORTH BEND COMPREHENSIVE PLAN LAND USE MAP, NORTH BEND ZONING MAP, AND NORTH BEND MUNICIPAL CODE 18.10.050 AFFECTING PROPERTIES ON SOUTH FORK AVENUE SW, IN THE 2014 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, on December 14, 2012, property owner Century Link Communications submitted a docket request to amend the land use designation of its property at 12727 South Fork Avenue SW from Residential to Commercial, and the zoning from Low Density Residential (LDR) to a commercial zone; and

WHEREAS, the Planning Commission, in its annual Comprehensive Plan and Zoning Docketing process took up Century Link's docket request for further consideration in 2013, which included adding the adjacent property to the proposed amendments at 12805 412th Ave. SE; and

WHEREAS, NBMC Sections 20.08.070 through 20.08.110 identify criteria for consideration of proposed zoning amendments, including evaluating the proposed amendments for conformance to the Comprehensive Plan and development regulations, evaluating impacts of the proposed amendments on the City and on surrounding properties, and evaluating the environmental, economic and cultural impacts of the proposed amendments; and

WHEREAS, staff prepared a report to the Planning Commission evaluating the proposed zoning amendments based on the above-referenced criteria, and found the proposed amendments consistent with the criteria, as described in the Community and Economic Development Staff Report attached as Exhibit C (Staff Report); and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on April 23, 2013; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on April 24, 2013; and

WHEREAS, the North Bend Planning Commission reviewed and considered the Staff Report and proposed amendments at its April 25 and May 9, 2013 meetings and

conducted a public hearing on May 9, 2013 at which the Planning Commission received and considered public comment; and

WHEREAS, on May 9, 2013, following the public hearing, the Planning Commission recommended denial of the proposed amendments until such time that the property annexes into the City, finding that the proposed amendments were not in the public interest after considering public comment received and considering that the proposal is within the Urban Growth Area but outside of the current City limits; and

WHEREAS, the City Council discussed the proposed amendments at its October 22, 2013 Workstudy Meeting, with Councilmembers expressing that annexation should precede the Land Use/Zoning amendments; and

WHEREAS, the City Council denied the proposed amendments at its November 19, 2013 meeting, and

WHEREAS, the Community and Economic Development Council Committee at its February 25, 2014 meeting, considered an inquiry by Century Link Communications for re-consideration of the proposed amendments should Century Link also seek annexation of the property simultaneously, and

WHEREAS, after discussing the purpose and process of UGA pre-annexation zoning, the Community and Economic Development Council Committee was amenable to the idea of addressing the Comprehensive Plan Land Use Designation and Zoning prior to an annexation and requested that the topic be taken back to the Planning Commission for reconsideration in an effort to keep this topic on track with all the other 2014 Comprehensive Plan amendment dockets slated to be addressed in May by ordinance; and

WHEREAS, the Planning Commission re-considered the issue at its March 13 and March 27, 2014 meetings, and following a public hearing on March 27, recommended approval of the amendments as provided in the attached Planning Commission Recommendation attached as Exhibit D (Planning Commission Recommendation); and

WHEREAS, Concurrency as required per NBMC 20.12.030 for a comprehensive plan land use re-designation or rezone cannot be adequately evaluated without a specific associated land use proposal, and because impacts resulting from development are evaluated at the time of development application and are the responsibility of the applicant proposing the development, the City has deferred detailed concurrency review until the time of development application pursuant to NBMC 20.10.030(A)(2) to ensure a thorough analysis of the impacts to City services and application of appropriate mitigation measures; and

WHEREAS, the City Council finds that the City followed procedural requirements of Chapter 20.08 NBMC to notify and advertise the proposed amendments to the public and to interested agencies, and that the Planning Commission and City Council subsequently

considered all written and verbal comments received during their respective processes;
and

WHEREAS, WAC 365-196-640(3) provides that all proposed amendments to the Comprehensive Plan must be considered by the governing body concurrently and may not be considered more frequently than once every year;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval of Proposed Amendments: The City Council supports approval of the amendments to the North Bend Comprehensive Plan Land Use Map as depicted on the attached Exhibit A, and the North Bend Zoning Map as depicted on the attached Exhibit B.

Section 2. Authorization of Comprehensive Plan and Zoning Amendments: The City Council hereby authorizes the amendments described in Section 1 to be included in the 2014 Comprehensive Plan Amendment Docket, to be effective upon adoption by ordinance together with the remainder of the 2014 Comprehensive Plan and Zoning amendments.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6TH DAY OF MAY, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective: May 6, 2014
Posted: May 7, 2014

Susie Oppedal, City Clerk